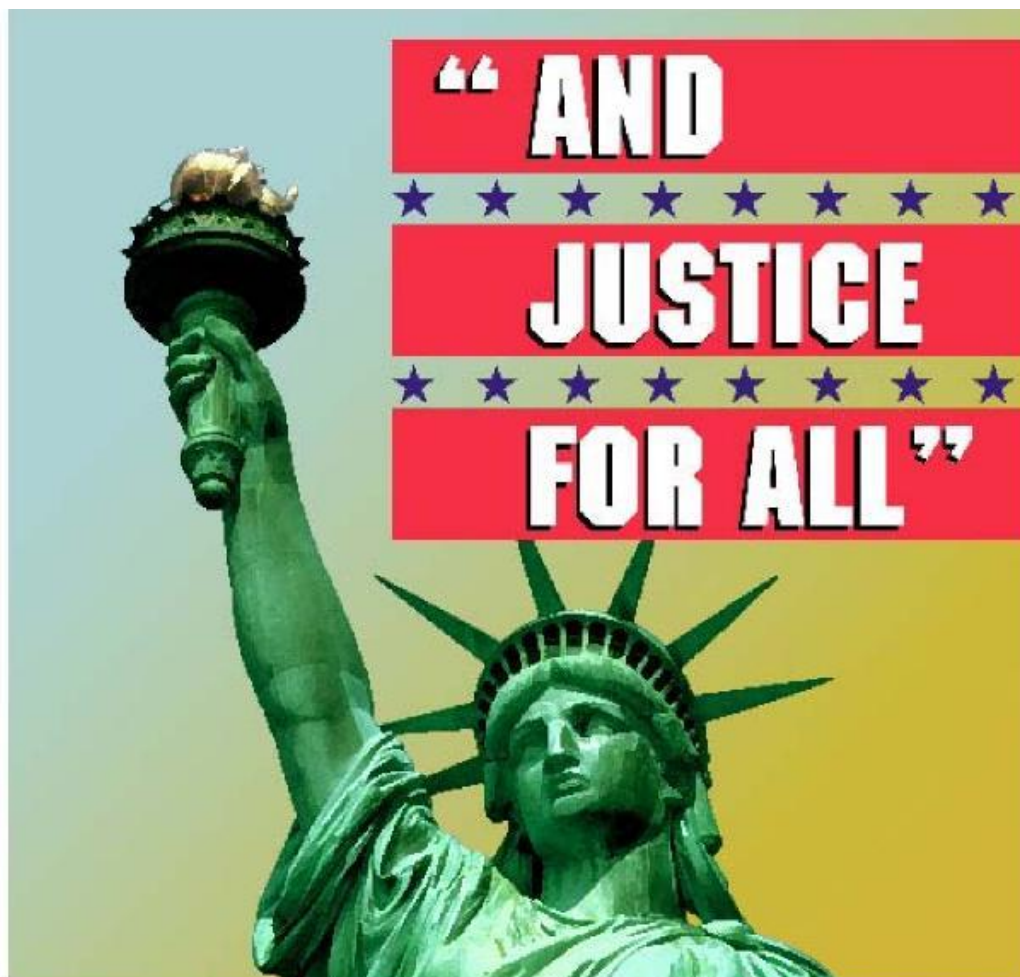


Rhode Island Department of Education

Child Nutrition Programs

Civil Rights Training Handbook



In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.)

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

De acuerdo a lo establecido por las leyes Federales y el Departamento de Agricultura de los EE.UU. (USDA, siglas en inglés), se prohíbe a este organismo la discriminación por raza, color, origen nacional, sexo, edad, o impedimentos de las personas. (No todos las bases de prohibición se aplican a todos los programas.)

Para presentar una queja sobre discriminación, escriba a USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410, o llame al (202) 720-5964 (voz y TDD). USDA es un proveedor y empleador que ofrece oportunidad igual a todos.

Table of Contents

Overview of Civil Rights	3
RIDE’s Civil Rights Responsibilities	5
Sponsor’s Civil Rights Responsibilities	6
Required Training Elements	8
Data Collection	8
Effective Public Notice Systems	11
Complaint Procedures	13
Monitoring Compliance	15
Resolution of Noncompliance	15
Accommodations for Person with Disabilities	15
Accommodations for those with Limited English Proficiency	16
Conflict Resolution	16
Sample Civil Rights Self-Assessment Compliance Form	17
“And Justice For All” Poster.....	18
Sample Media Release Form.....	19-20
“Building for the Future” Poster-English.....	21
“Building for the Future” Poster-Spanish.....	22
Civil Rights Training Materials	
General Civil Rights Training Handout	23
Civil Rights Knowledge Check.....	28
Civil Rights Knowledge Check- Answer Key	29
Civil Rights Training Attendance Log	30
Civil Rights Complaint Log Sample.....	
Civil Rights Complain Form Sample	
Resources and Materials.....	31

Civil Rights Training Handbook

For Child Nutrition Program Sponsors

Overview

Maintaining a civil rights process and having annual training on civil rights is a United States Department of Agriculture (USDA) requirement for Child Nutrition Programs (CNP). This section focuses on broad USDA civil rights requirements as well as specifics pertaining to the National School Lunch Program (NSLP), School Breakfast Program (SBP), Special Milk Program (SMP), and After School Snack Program (ASSP).

Purpose

The purpose of this handbook is to provide Sponsors of the USDA Child Nutrition Program and their staff with an overview of their Civil Rights responsibilities so compliance is maintained.

Terminology

Complaint procedure - USDA defined procedure for handling discrimination complaints. Based on these requirements, Sponsors need to develop and implement the following:

- Civil Rights Complaint Procedures,
- Civil Rights Complaint Forms, and
- Civil Rights Complaint Log

Civil Rights - The nonpolitical rights of a citizen; the rights of personal liberty guaranteed to U.S. citizens by the 13th and 14th Amendments to the U.S. Constitution and by acts of Congress.

Discrimination - Different treatment of one person or a group of persons either intentionally, by neglect or by the effect of actions or lack of actions based on Race, Color, National Origin, Age, Disability, or Sex. This includes **denied** benefits or services that others receive, **delayed** receiving benefits or services that others receive, or being treated **differently** than others to their disadvantage.

Disability - A person who has a documented physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. "Physical or mental" impairment includes many diseases and conditions.

Overt identification - Any action that may result in a child being recognized as potentially eligible to receive, or certified to receive, free or reduced price school meals.

Ethnic categories - Includes 'Not Hispanic or Latino' and 'Hispanic or Latino.'

Non-discrimination statement – A USDA statement that must be present on all publications and media announcements mentioning USDA Child Nutrition Programs. The long non-discrimination statement must be listed on all printed material over one page in length. The short non-discrimination statement may be used on printed materials that are only one page or one sheet of paper (including front and back) in length.

USDA Protected classes - The protected classes recognized by the USDA Child Nutrition Programs include Race, Color, National Origin, Age, Sex, and Disability.

RI Department of Education Protected classes – The protected classes recognized by the RI department of Education are age, sex, sexual orientation, gender identity / expression, race, color, religion, national origin or disability.

Public notification systems - The means by which sponsors make public, via public announcement, their program availability. This is a USDA requirement.

Racial Categories - Includes 'Black or African American,' 'White,' 'Asian,' 'Native Hawaiian or Other Pacific Islander,' and 'American Indian or Alaskan Native.'

Civil Rights Act

Title VI of the Civil Rights Act of 1964 prohibits recipients of Federal financial assistance from discriminating against or otherwise excluding individuals on the basis of race, color and national origin in any of their activities.

This applies to all Federal financial assistance programs whether the program is Federal funded in whole or part.

Authority

Civil Rights are extended by the Authority of:

- Title VI of the Civil Rights Acts of 1964 (pertains to: race, color, and national origin)
- Americans with Disabilities Act (pertains to: disabilities)
- Title IX of the Education Amendments of 1972 (pertains to: sex)
- Section 504 of the Rehabilitation Act of 1973 (pertains to: disabilities)
- Age Discrimination Act of 1967 (pertains to: age)
- The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, and DOJ Memorandum dated 1/28/99, entitled, "Policy Guidance Document Enforcement of Title VI of the Civil Rights Act of 1964 and Related Statutes in Block Grant Type Programs."
- Civil Rights Restoration Act of 1987-clarifieds the scope of the Civil Rights Act of 1964.
- Executive Order 13166-enforces National Origin discrimination for person with Limited English Proficiency.
- USDA Departmental Regulation 4330-2 prohibits discrimination in programs and activities funded by USDA.
- 7CFR Part 16, Equal Opportunity for Religious Organizations-religiously affiliated organizations should be able to compete on an equal footing with other organizations for USDA assistance.

RIDE's Civil Rights Responsibilities

Provide Training

As the "State Agency", RIDE is required by USDA to provide annual training to participating sponsors, institutions and agencies (Sponsors) on Civil Rights, based on the USDA protected classes.

This electronic manual and the associated PowerPoint presentations and videos are several methods of training Sponsors on Civil Rights requirements. Training sessions, both live and through CNP Connect, will be conducted periodically throughout the year. These resources are found at:

Assess Compliance with Civil Rights Requirements

RIDE is required to assess that Sponsors appear to be compliant with USDA Civil Rights standards. During reviews of your programs, RIDE will observe or review practices and procedures related to access, public notice, accommodations, complaint management, data management, and customer service.

RIDE will also inform the Sponsor if practices and procedures appear to be non-compliant with USDA Civil Rights requirements. RIDE may inform other agencies or oversight entities of apparent non-compliance with these Civil Rights requirements, such as the RI Department of Human Services, the RI Department of Children, Youth and Families and the RI Civil Rights Commission.

If RIDE determines that a Sponsor apparently is not in compliance with USDA Civil Rights standards, a plan of correction will be developed to achieve voluntary compliance by the Sponsor. If voluntary compliance is not completed within 60 calendar days, RIDE will report the situation to the USDA Food and Nutrition Services Regional Office (NERO).

Assurances

All applications (and annual renewals) for Child Nutrition Programs must include a written statement that assures that the applicant of Federal financial assistances will operate their business, programs and all activities in compliance with all nondiscrimination laws, regulations, instruction, policies, and guidance.

RIDE's Child Nutrition Programs (RIDE) has made the written assurances process easy for sponsors submitting an application to RIDE. The Civil Rights statement of Assurance of Nondiscrimination is included in the Permanent Agreement.

This Permanent Agreement is signed by the Sponsor after all application requirements are met and a successful Pre-Approval visit has been conducted by RIDE.

Sponsor Civil Rights Responsibilities

Provide Annual Civil Rights Training to Staff

Program Sponsors are required to provide civil rights training to their staff every year.

What are Civil Rights?

Civil rights involve ensuring compliance with all applicable laws, regulations, and policies for Food and Nutrition Service (FNS) customers and employees regardless of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, protected genetic information, or because all or part of an individual's income is derived from any public assistance program.

Civil rights also ensure equal and timely access to all FNS programs and services for all applicants, customers, and participants.

Note that the protected classes that apply specifically to FNS nutritional assistance programs are race, color, national origin, age, sex, and disability.

Who must be trained?

ALL front line staff and the direct supervisors of front line staff must be trained.

Front line staff are those who interact with Program applicants or participants. Examples of front line staff may include:

- Servers and cashiers,
- Secretarial staff who distribute or collect Meal Benefit Application,
- School Meal Program staff conducting verification or
- CACFP staff conducting household contacts,
- Snack Program or SFSP staff who supervise students during mealtimes.

Additional staff may be trained at the program's discretion.

Frequency of the training:

Front line staff and their direct supervisors must be trained **ANNUALLY**.

Format for the training:

The training may take any format as long as all required elements are included. Training may be conducted annually in a single block of time or broken into shorter segments throughout the year. It may be provided as a free-standing program or integrated into other training sessions such as orientation or in-service sessions. The training may be delivered by an instructor or as a self-directed program.

Participating Sponsors that operate more than one program simultaneously (e.g., National School Lunch Program and CACFP) may train all staff at the same time.

Attention may be focused on different elements based on the needs of the staff being trained. For example:

- Staff who serve food but who do not work with RIDE Meal Benefit Applications may receive training with customer service as a primary focus.

- Staff who collect and process Meal Benefit Applications but who does not directly interact with participants may be provided training with increased emphasis on collection and use of data, language assistance, and conflict resolution.

Documentation of training:

Documentation of training must be written, and must include

- the date the training was conducted,
- the time the training began and ended,
- the legible name of the person overseeing or delivering the training,
- the legible names and/or signatures of all participants, and
- an outline of the training provided and a copy of handouts

Civil Rights Training Attendance Log

Instructions: Use this form to document annual staff attendance at Civil Rights training. Training may be group training, either in or out of the institution or individual on the job training, such as new staff orientation, or individual training with resources. **Please attach copies of related handouts or other materials used in the training.**

Date _____ Location of training _____

Training beginning time : _____ ending time: _____

Presenter's name & position _____

Signatures of those trained:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____

Required Elements of Civil Rights Training

All training must include all of the following elements:

- 1 Collection and use of data,
- 2 Equal Opportunity
- 3 Effective public notification systems,
- 4 Civil Rights Complaint procedures,
- 5 Compliance & Resolution of Noncompliance,
- 6 Accommodations for those with Disabilities,
- 7 Accommodations for those with Limited English Proficiency,
- 8 Conflict resolution, and
- 9 Customer service.

Sample handouts and knowledge quizzes for use with frontline staff are the end of this Handbook.

Element 1: Collection and Use of Data

Sponsors must collect and report information about the ethnicity and racial identity of participants and applicants. The information must be based on self-identification to the extent possible, and visual observation by program staff when participants do not self-identify.

The racial and ethnic information for each child is to be kept confidential just like their claiming category. Sponsors must have means of maintaining this information in a confidential manner. Files and reports must be maintained for 3 years plus the current year.

The following statement is a direct quote from USDA that Sponsors can provide to applicants/participants to help encourage each to self-identify.

“This information is requested solely for the purpose of determining the State’s compliance with Federal civil right laws, and your response will not affect consideration of your application, and may be protected by the Privacy Act. By providing this information, you will assist us assuring that this program is administered in a nondiscriminatory manner.”

Meal Benefit Applications

The USDA meal benefit application includes the racial/ethnic survey. Families completing these forms should be encouraged to respond to these questions.

Categorizing a Child’s Racial and Ethnic Information

Answering the Race and Ethnic Categories is a Two Question Format

Question 1: Ethnicity: the applicant/participant chooses one, or the other, not both.

1. Hispanic or Latino
2. Not Hispanic or Latino

Question 2: Race is broken down into the following categories and the applicant/participant can choose one or as many categories that apply.

The racial/ethnic categories are defined as:

1. **American Indian or Alaska Native.** A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
2. **Asian.** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam.
3. **Black or African American.** A person having origins in any of the black racial groups of Africa. Terms such as "Haitian" or "Negro" can be used in addition to "Black or African American".
4. **Native Hawaiian or Other Pacific Islander.** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
5. **White.** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Annual Beneficiary Data Report

A Beneficiary Data Report is used to document racial and ethnic data in the Child Nutrition Programs.

This annual report must be completed each October by the Sponsor to document the racial/ethnic category of enrolled participants.



Annual Beneficiary Data Report *

A Beneficiary Data Report must be completed annually to document the racial/ethnic category of enrolled participants in the Federal Child Nutrition Program(s) in which you participate:

1. National School Lunch/School Breakfast/Special Milk/After School Snack Program; or
2. Child & Adult Care Food Program; or
3. Summer Food Service Program.

*Complete this Report every **October** for each of your schools/sites. (SFSP should complete it during program operation). Maintain this completed Report in your files for three years. Do not send this Report to the RIDE Child Nutrition Programs office.

Sponsor Name: _____

School/Site Name: _____

School/Site Address: _____

INSTRUCTIONS: There are 2 steps to reporting race and ethnic categories.

1. Collect **Ethnic Category** data first for all enrolled participants.
2. Collect **Racial Category** data for all enrolled participants– an individual maybe counted in 1 or more categories.

A participant may be included in the category to which he or she identifies with, appears to belong to, or is regarded as a member of by the community.

Step 1: Ethnic Category (Evaluate all participants for ethnicity first)	# of Participants
Hispanic or Latino. A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.	
Not Hispanic or Latino	
Step 2: Racial Category (Evaluate all participants for race. Individuals may be counted in one or more categories)	
American Indian or Alaskan Native. A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.	
Asian. A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam..	
Black or African American. A person having origins in any of the black racial groups of Africa.	
Native Hawaiian or Other Pacific Islander. A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.	
White. A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.	
Total number of participants evaluated	
Authorized Signature ▶	Date Completed ▶

Element 2: Equal Opportunity

The Sponsor must provide equal access to programs and services to all applicants/participants. Examples of equal access include:

- Provide all families inquiring about the Program with the same information about CNP
- Serve all participants the same meal (unless there is a documented specific need / accommodation for medical or other reasons)
- Evaluate all Meal Benefit Forms equally regardless of race, color, national origin, sex, age or disability
- Provide services to applicants and participants at a location that does unnecessarily prohibit their access to the services

Equal Opportunity for Religious Organizations

Faith-based and community-based organizations have a long history of involvement in Federal nutrition assistance programs and a tradition of supporting low-income individuals by providing a wide range of social services. These organizations are important and longstanding partners in the Department of Agriculture's efforts to provide nutrition assistance to those in need.

- Faith-based and community-based organizations may participate in the CNP on equal footing with other kinds of local organizations.
- A religious organization may retain its independence and continue to carry out its mission, provided that direct USDA funds do not support any inherently religious activities such as worship, religious instruction, or proselytizing.
- Faith-based organizations may use space in their facilities to provide USDA-funded services without removing religious art, icons, scriptures, or other religious symbols.
- Faith-based organizations are not exempt from the requirements of Federal or RIDE law.

Element 3: Effective Public Notice Systems

All Sponsors must notify the public, all applicants and participants that they receive Federal funds for meal service. The public, applicants/participants must also be informed of the following:

- The availability of the Program
- Their rights and responsibilities regarding the Program
- The steps necessary to participate
- USDA's Nondiscrimination policy
- Their right to file a civil rights complaint, and the procedures to do so

How to notify the public, applicants and participants about Child Nutrition Programs

There are basic steps Sponsors take to inform their community and potential applicants about the Program:

Outreach

- Inform Grassroots organizations in your community.
- Make information available upon request
- Release a media notice to the newspaper, radio or television station covering the service area of the program each year.

- RIDE issues the annual media releases on behalf of current CACFP and School Nutrition Program Sponsors.
- The media notice must inform applicants, potentially eligible persons, participants and grassroots organizations of program features, including eligibility, benefits, services, location of facilities or service delivery points, hours of service.
- SFSP Sponsors issue their own annual media releases.
- New Sponsors must issue a news release announcing sponsorship of the USDA Child Nutrition Program. Sponsors submit the news release to the local media for possible public announcement. If the media does not provide this service free, Sponsors are not required to pay for this announcement.
- A sample Media Release (below).
- Photos and graphic depictions used in promotional material must convey the message of equal opportunity.

Effective Forms of Information

- Provide translated information (appropriate for your community) about the availability and nutritional benefits of the Program.
- Provide persons with disabilities or limited language proficiency with required documents and information about Programs in alternative formats that is appropriate for them

USDA Nondiscrimination Statement

- Include the full USDA's nondiscrimination statement on all program publications, Websites, posters, billboards, T.V. or radio announcements, flyers, etc... (Unless FNS NERO Civil Rights Director approves and exception for the use of the condensed version).
- Include USDA's nondiscrimination statement on all photos and other graphics that are used to announce program information.
- The full USDA Nondiscrimination Statement should be used on all vital documents
 - CACFP Sponsors should also include USDA's nondiscrimination statement in center's Parent Handbook.
- Display the "And Justice for All" poster in a PROMINENT LOCATION (below). (New posters-as of October 2015- will be available through RIDE)
- Remember, it must be seen by all parents or children as they enter the building.
 - EXCEPTION: CACFP Home Sponsor program must display the poster in the office of the Sponsor. It need not be displayed in the homes.
- CACFP Sponsors should include the "Building for the Future" flyer in your Center's enrollment packet (below).

More Information on the USDA's Nondiscrimination Statement and its Use (October 2015)

When to Use Full Statement

If the Sponsor operates a website, the USDA nondiscrimination statement must appear on the home page of the website or a link to the statement must appear on the home page.

This statement is to be also included, in full, on all materials that contain the Child Nutrition Program(s) names or meal references and are produced for public information, public education or public distribution.

CACFP sponsors need to use the full statement is parent handbook if the text refers to the CACFP or USDA, or if information is included regarding any of the meals/snacks for which reimbursement is received.

Full Statement

“In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](http://www.ascr.usda.gov/complaint_filing_cust.html), (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.”

“This institution is an equal opportunity provider.”

Use of Condensed Statement

If the material is too small to permit the full statement to be included (such as 1 page flyers or brochures), the material will, at a minimum, include the statement in print size no smaller than the text. Please note that the use of the shorter condensed version is the exception, not the rule. If written materials previously had the longer statement on them they should again have the full statement when re- printed. Exceptions must be coordinated with FNS NERO Civil Rights Director

Condensed Statement: “This Institution is an equal opportunity provider.”

RIDE – Child Nutrition Programs

FY 2016 Media Release – For Use by New CNP Sponsors

Instructions:

- New CNP (and CACFP center-based Sponsors) must issue a news release announcing sponsorship of the CNP.
 - Complete the Media Release Tracking Sheet (below).
 - During the initial application process, submit to RIDE the completed Tracking Sheet and a copy of the news media release on your Sponsor stationary.
 - The income eligibility guidelines must be printed on the Sponsor stationary or referenced as an attachment and included with the news media release.
 - CACFP Family Day Care Home Sponsoring Organizations do not include the income eligibility guidelines in their media release.
- Submit the news release to the local media for possible public announcement.
- If the media does not provide this service free, you are not required to pay for this announcement.
- Keep a copy of the Media Release Tracking Sheet and the completed media release. This will document that the release was sent to the media outlets.

Complete the Media Release Tracking Sheet form below.

Media Release Tracking Sheet

Name of CNP Sponsor: _____

Sponsor Address: _____

Names of Local Media Outlets that news release was (will be) sent to and date submitted:

Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

Record name of minority/grassroots organization to which news release was sent, and date:

Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

(Signature of Sponsor's Representative)

(Title)

(Date Signed)

Instructions:

The news media release (below) has been prepared for your use in order to comply with part 226.23 (d) of the USDA CNP regulations. You may copy this statement (as applicable) for your program.

Additional information may be included; however, the release must contain the information below:

Sample NEWS MEDIA RELEASE (use Sponsor Stationary)
PROGRAM ANNOUNCED

The (NAME OF SPONSOR) announces the sponsorship of the USDA _____ Program. This program is designed to provide meals for participants in _____

Meals are available to all enrolled participants without regard to race, color, national origin, sex, age or disability and will be served at no separate charge.

List sponsor's participating sites (name and address). _____

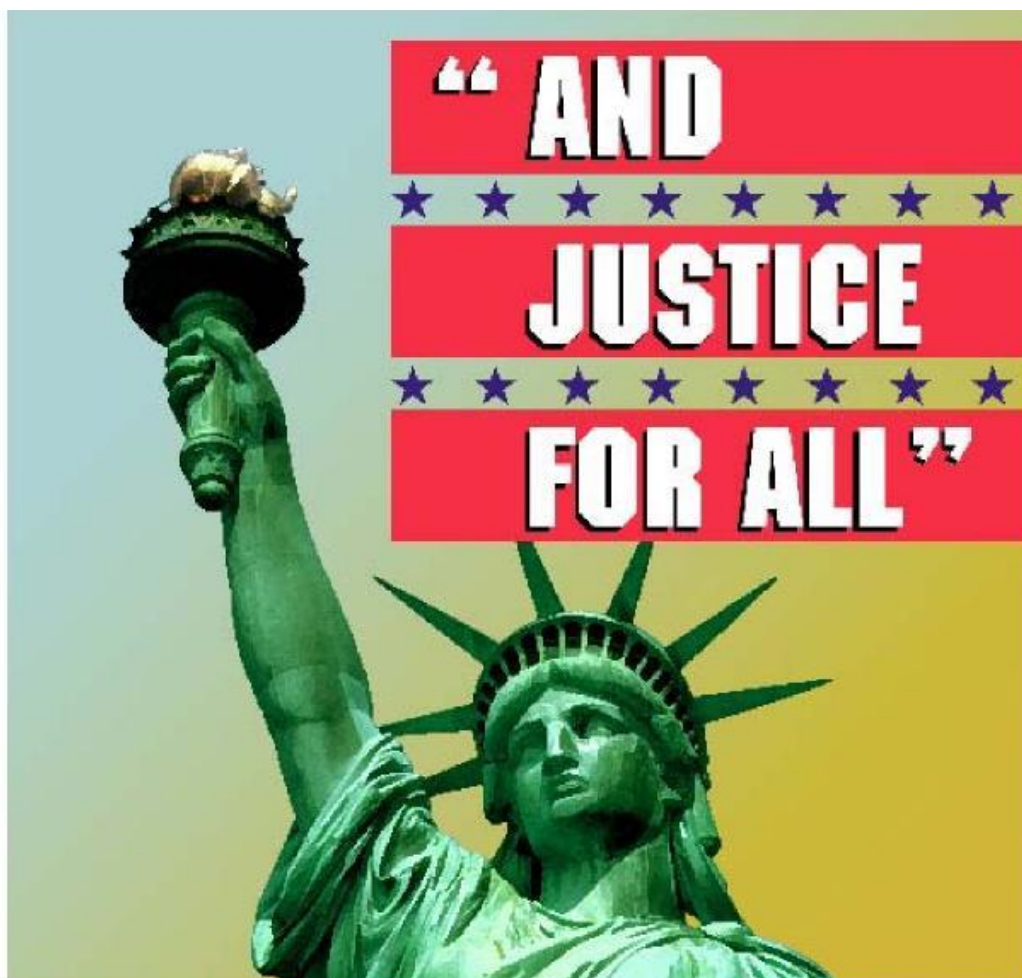
(Attach additional pages if needed.)

The following Income Eligibility Guidelines for free and reduced price meals are effective:

July 1, 2015 through June 30, 2016

Free Meals					Reduced Price Meals			
Number in Family	Annual Gross Income	Monthly Gross Income	Biweekly Gross Income	Weekly Gross Income	Annual Gross Income	Monthly Gross Income	Biweekly Gross Income	Weekly Gross Income
1	15,301	1,276	589	295	21,775	1,815	838	419
2	20,709	1,726	797	399	29,471	2,456	1,134	567
3	26,117	2,177	1,005	503	37,167	3,098	1,430	715
4	31,525	2,628	1,213	607	44,863	3,739	1,726	863
5	36,933	3,078	1,421	711	52,559	4,380	2,022	1,011
6	42,341	3,529	1,629	815	60,255	5,022	2,318	1,159
7	47,749	3,980	1,837	919	67,951	5,663	2,614	1,307
8	53,157	4,430	2,045	1,023	75,647	6,304	2,910	1,455
Each Add'l Family Member	+5,408	+451	+208	+104	+7,696	+642	+296	+148

This institution is an equal opportunity provider.



In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.)

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

De acuerdo a lo establecido por las leyes Federales y el Departamento de Agricultura de los EE.UU. (USDA, siglas en inglés), se prohíbe a este organismo la discriminación por raza, color, origen nacional, sexo, edad, o impedimentos de las personas. (No todos las bases de prohibición se aplican a todos los programas.)

Para presentar una queja sobre discriminación, escriba a USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410, o llame al (202) 720-5964 (voz y TDD). USDA es un proveedor y empleador que ofrece oportunidad igual a todos.

Building for the Future

This child care receives
Federal cash assistance to
serve healthy meals to your children.
Good nutrition today means
a stronger tomorrow!

Meals served here must meet
nutrition requirements established by USDA's
Child and Adult Care Food Program.

Questions? Concerns?

Call USDA toll free: **1-866-USDA CND**
(1-866-873-2263)

Visit USDA's website: **www.fns.usda.gov/cnd**



United States Department of Agriculture
Food and Nutrition Service
FNS-317
June 2000
Revised June 2001

USDA is an equal opportunity provider and employer.

Construyendo Para El Futuro

Esta guardería infantil recibe asistencia monetaria del gobierno federal para servir comidas nutritivas a sus niños.

¡Buena nutrición hoy significa un mañana más saludable!

Comidas servidas aquí deben de seguir los requisitos nutricionales establecidos por el programa **"Child and Adult Care Food Program"** del Departamento de Agricultura de los Estados Unidos (USDA por sus siglas en inglés).

¿Preguntas? ¿Inquietudes?

Llame gratuitamente a USDA al: **1-866-USDA CND**
(1-866-873-2263)

Visite el website de USDA: **www.fns.usda.gov/cnd**



United States Department of Agriculture
Food and Nutrition Service
FNS-317-S
June 2000
Revised June 2001

USDA es un proveedor y empleador que ofrece oportunidad igual a todos.

Element 4: Complaint Procedures

The USDA Nondiscrimination Statement contains information on how to file a complaint alleging discrimination made on the basis of:

- race,
- color,
- national origin,
- sex,
- age, or
- disability.

Sponsors are required to establish:

- Procedures for reporting and tracking Civil Rights Complaints.
- Civil Rights Complaint Log
- Civil Rights Complaint Forms (in both English and Spanish, if appropriate), and

All these items should be kept in a designated civil rights binder or file at each participating site and at the Sponsor's main administrative office. Information in the civil rights binder/file must be **annually updated** and maintained for **three years plus the current year**.

Below are samples of these three documents.

Sponsor Civil Rights Complaint Procedure (sample)

- 1 Any person alleging discrimination has the right to file a complaint within 180 days of the discriminatory action.
- 2 Complaints can be verbal or written.
- 3 The Sponsor must document all complaints in the Civil Rights Complaint Log.
- 4 The Sponsor gives the complainant the Civil Rights Complaint Form & the USDA Nondiscrimination Statement.
 - a. USDA has a Complaint Form, but a specific form does not have to be used.
 - b. However, the complaint must contain certain information found in the USDA Complaint Form.
 - c. The Sponsor may assist in completing the Form.
- 5 If a complainant returns the Complaint Form or provides a verbal complaint, the Sponsor must forward the complaint to USDA within 3 working days.
 - a. If a person makes a verbal complaint and refused (or is not inclined) to place allegations in writing, the person to whom the allegations are made must write up the complaint.
- 6 Completed complaint forms should be sent directly to USDA by one of the methods below:
 - a. mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
 - b. fax: (202) 690-7442; or
 - c. email: program.intake@usda.gov

USDA Child Nutrition Programs
Log of Civil Rights Complaints (Sample)

SY: _____

Sponsor Name: _____

Site Name: _____

Address: _____

Address: _____

Phone Number: _____

Phone Number: _____

Date Complaint Received	Description of Complaint	Name of Complainant	Date CR Complaint Form Completed & Returned To Sponsor (yes/no)	Date Civil Rights Complaint Forwarded to USDA	Date Complaint Resolved

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](http://www.ascr.usda.gov/complaint_filing_cust.html), (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

Sponsor's Civil Rights Coordinator: _____

Coordinator Contact Information: _____

(1/19/12)

**UNITED STATES DEPARTMENT OF AGRICULTURE (USDA)
Office of the Assistant Secretary for Civil Rights**

USDA Program Discrimination Complaint Form Instructions

(The complaint form is below the instructions)

PURPOSE: The purpose of this form is to assist you in filing a USDA program discrimination complaint. For help filling out the form, you may call any of the telephone numbers listed at the bottom of the complaint form. You are not required to use the complaint form. You may write a letter instead. If you write a letter it must contain all of the information requested in the form and be signed by you or your authorized representative. Incomplete information will delay the processing of your complaint.

You may also send a complaint by FAX or e-mail. We must have a signed copy of your complaint, so if you send your complaint by e-mail, be sure to attach the signed copy to your email. Incomplete information or an unsigned form will delay the processing of your complaint.

FILING DEADLINE: A program discrimination complaint must be filed not later than 180 days of the date you knew or should have known of the alleged discrimination, unless the time for filing is extended by USDA. Complaints sent by mail are considered filed on the date the complaint was signed, unless the date on the complaint letter differs by seven days or more from the postmark date, in which case the postmark date will be used as the filing date. Complaints sent by fax or email will be considered filed on the day the complaint is faxed or emailed. Complaints filed after the 180-day deadline must include a 'good cause' explanation for the delay. For example, you may have "good cause" if:

1. You could not reasonably have been expected to know of the discriminatory act within the 180-day period;
2. You were seriously ill or incapacitated;
3. The same complaint was filed with another Federal, state, or local agency and that agency failed to act on your complaint.

USDA POLICY: Federal law and policy prohibits discrimination against you based on the following: race, color, national origin, religion, sex, disability, age, marital status, sexual orientation, family/parental status, income derived from a public assistance program, and political beliefs. (Not all bases apply to all programs).

PROPERTY ADDRESS: If this complaint involves a farm or other real estate property

that is not your current address, write in the address for that farm or real estate property. Otherwise, this part of the form can be left blank.

PLEASE READ IMPORTANT LEGAL INFORMATION BELOW CONSENT

This USDA Program Discrimination Complaint Form is provided in accordance with the Privacy Act of 1974, 5 U.S.C. §552a, and concerns the information requested in this form to which this Notice is attached. The United States Department of Agriculture's Office of the Assistant Secretary for Civil Rights (USDA) requests this information pursuant to 7 CFR Part 15.

If the completed form is accepted as a complaint case, the information collected during the investigation will be used to process your program discrimination complaint.

Disclosure is voluntary. However, failure to supply the requested information or to sign the form may result in dismissal of your complaint. If your complaint is dismissed you will be notified. The information you provide in this complaint may be disclosed to outside parties where USDA determines that disclosure is: 1) Relevant and necessary to the Department of Justice, the court or other tribunal, or the other party before such tribunal for purposes of litigation; 2) Necessary for enforcement proceedings against a program that USDA finds to have violated laws or regulations; 3) In response to a Congressional office if you have requested that the Congressional office inquire about your complaint or; 4) To the United States Civil Rights Commission in response to its request for information.

REPRISAL (RETALIATION) PROHIBITED:

No Agency, officer, employee, or agent of the USDA, including persons representing the USDA and its programs, shall intimidate, threaten, harass, coerce, discriminate against, or otherwise retaliate against anyone who has filed a complaint of alleged discrimination or who participates in any manner in an investigation or other proceeding raising claims of discrimination.



First Name: _____ Middle Initial: _____ Last Name: _____

City: _____ State: _____ Zip code: _____

Telephone Number starting with area code: _____

Best Time of the Day to Reach You _____

Best Way to Reach You, (check one): Mail Phone E-mail Other:

Do you have a representative (lawyer or other advocate) for this complaint? Yes No

If yes, please provide the following information about your representative:

First Name: _____ Last Name: _____

Address: _____ City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail: _____

1. Who do you believe discriminated against you? Use additional pages, if necessary. Name(s) of person(s) involved in the alleged discrimination (if known):

Please name the program you applied for (if known/if applicable): _____

Please check (☐) the USDA Agency below that conducts the program or provides Federal financial assistance for the program (if known):

Farm Service Agency

Food and Nutrition Service

Rural Development

Natural Resource Conservation Service

Forest Service

Other: _____

2. What happened to you? Use additional pages, if necessary, and please include any supporting documents that would help show what happened.

3. When did the discrimination occur?

Date:

Month

Day

Year

If the discrimination occurred more than once, please provide the other dates:

4. Where did the discrimination occur? Address of

location where incident occurred:

Number and street, PO Box, or RD Number

City

State

Zip Code

5. It is a violation of the law to discriminate against you based on the following: race, color, national origin, religion, sex, disability, age, marital status, sexual orientation, family/parental status, income derived from a public assistance program, and political beliefs. (Not all bases apply to all programs) Reprisal is prohibited based on prior civil rights activity.

I believe I was discriminated against based on my

6. Remedies: How would you like to see this complaint resolved?
7. Have you filed a complaint about the incident(s) with another federal, state, or local agency or with a court?

Yes: _____ No: _____

If yes, with what agency or court did you file? _____

When did you file? _____
Month Day Year

Signature: _____ Date: _____
(Complainant)

Send Completed Form by one of these 3 methods:

Mail to:

USDA
Office of the Assistant Secretary for Civil Rights
1400 Independence Ave, SW, Stop 9410 Washington, D.C.
20250-9410

Or

E-mail to this address:

program.intake@usda.gov

Or

Fax to this phone number:

(202)690-7442

Telephone Numbers:

Local area: (202) 260-1026
Toll-free: (866) 632-9992
Local or Federal relay: (800) 877-8339
Spanish relay: (800) 845-6136

PAPERWORK REDUCTION ACT AND PUBLIC BURDEN STATEMENTS:

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.) requires us to inform you that this information is being collected to ensure that your complaint contains all the information required to file a complaint. The Office of the Assistant Secretary for Civil Rights will use the information to process your complaint of program discrimination. Response to this request is voluntary. The information you provide on this form will only be shared with persons who have an official need to know, and will be protected from public disclosure pursuant to the provisions of the Privacy Act, 5 U.S.C. § 552a(b).

The estimated time required to complete this form is 60 minutes. You may send comments regarding the accuracy of this estimate and any suggestions for reducing the time for completion of the form to USDA, Office of the Assistant Secretary for Civil Rights, 1400 Independence Ave, SW, Washington, DC 20250-9410. An Agency may not conduct or sponsor, nor is a person required to respond to, a collection of information unless it displays a currently valid OMB Control Number. The OMB Control Number for this form is 0508-0002.

Element 4: Compliance & Resolution of Noncompliance

RIDE reviews Sponsor's Civil Rights compliance in multiple ways.

RIDE assesses compliance with all Civil Rights requirements during the:

- Initial Application process,
- Pre-Approval review,
- Renewal Application process,
- Technical Assistance reviews and
- All announced and unannounced monitoring visits.

RIDE would immediately issue a finding to a Sponsor found "noncompliant" with any civil rights requirement. Corrective action must be taken immediately to achieve voluntary compliance within 60 days or the case is referred to USDA Regional Office.

Sponsors must review their sites for USDA Civil Rights compliance when they conduct monitoring reviews.

- A sample Civil Rights Self-Assessment Checklist is below.
- If the Sponsor identified apparent non-compliance during a review, the monitor must document the areas of perceived non-compliance and develop a corrective action plan.
- Corrective action must be developed and taken immediately to achieve voluntary compliance within 60 days.

Civil Rights Self-Assessment Checklist Form (sample)

This self-assessment tool may be used to monitor feeding sites, sponsored centers and home providers, as a training tool or to assess a participating Sponsor's compliance with Civil Rights requirements.

- Check each activity that your organization always does or that needs improvement.
- Make a plan to correct activities that are not always done correctly.
- Resource materials and applicable forms are available in this manual or from other resources.

1.	Meals are offered to all participants without discrimination based on race, color, national origin, sex, age or disability, creed, sexual orientation, gender identity, or religion. The same meals are offered to all participants of approximately the same age according to program requirements.		
2.	The approved media release is made available to local news media annually.		
3.	All households or participants are provided with information about Civil Rights requirements when they enroll or apply.		
4.	The USDA "And Justice For All" poster is displayed as required.		
5.	The correct nondiscrimination statements are in any material intended for public information. The statements related to USDA and RIDE are clearly identified. The font size of the notices is no smaller than the print on the page.		
6.	Policies and procedures are in place to take and resolve a Civil Rights complaint.		
7.	Staff knows what to do in the event of a Civil Rights complaint.		
8.	Annual notice is provided to minority interest groups in the program's service area that CNP services are open to them.		
9.	Staff members are trained on Civil Rights requirements annually.		
10.	Ethnic and racial identities of participants are recorded and reported as required. The source documents used to collect racial/ethnic data are retained for three years. Confidentiality of the information is assured.		
11.	Households and participants who do not speak English or are hard of hearing are informed about the CNP. They are informed of the non-discriminatory nature of the Program in the appropriately translated material or translation services are used.		

PLAN FOR IMPROVEMENT

Changes to be made	By Whom	When

Element 5: Accommodations for Persons with Disabilities

Reasonable accommodations must be made for persons with disabilities.

Under the **Rehabilitation Act of 1973 & American with Disabilities Act**, a person with a disability is any person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of, or is regarded as having such an impairment.

Severe food allergy and metabolic diseases (like diabetes and PKU) are examples.

Under the **Individuals with Disabilities Education Act (IDEA)** a child with a disability has 1 or more of the recognized 13 disability categories, and needs special education and related services.

Autism, health impairments due to chronic or acute health problems or emotional disturbances are examples.

Examples of reasonable accommodations include providing wheel chair ramps to access the food service area or making menu substitutions for those with severe food allergies.

Note the difference between severe food allergy and a food intolerance. Food intolerance is not a disability and therefore the Sponsor is not required to accommodate intolerances. However, Sponsors may make food substitutions, at their discretion, for individual children who do not have a disability, but who are medically certified as having a special medical or dietary need.

As Programs and offices modernize, make local websites and on-line application systems accessible / usable by persons with visual impairments and other disabilities.

Element 7: Accommodations for those with Limited English Proficiency

People with Limited English Proficiency (LEP) are those who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English.

Provisions must be made for LEP program participants and applicants.

For example, Free and Reduced Applications or menus may need to be translated into the appropriate language for areas with non-English speaking communities. Providing braille or large print documents for visually impaired participants are other examples of language assistance.

Provide notice of reasonable accommodations and language assistance in the notification letters to families about the school nutrition programs.

When determining the needs in your community, consider the following:

- Number or proportion of LEP persons served or likely to be encountered in the eligible population;
- Frequency with which LEP individuals come in contact with the Program;
- Nature and importance of the program, activity, or service provided by the program to people's lives; and
- Resources available to the grantee/recipient and costs.

If your program is located in a neighborhood that has a large ethnic population of persons who speak the same language that is different from English, it would be reasonable to assume a portion of that population would seek enrollment in your program. Therefore it would be required to provide CACFP materials translated in the language of this ethnic population.

<http://www.lep.gov/maps/>

For additional information regarding LEP see FNS Instruction 113-1. Pg. 10 – 12 at:

<http://www.fns.usda.gov/sites/default/files/113-1.pdf>

Element 8: Conflict Resolution

If a person feels they have been discriminated against by a Sponsor within the context of the Child Nutrition program, that person should first be provided the information in how to file a Civil Rights Complaint (Element 4 above).

The Sponsor should then offer to try and resolve the issue with the complainant. If after discussing the issue with the sponsor, the complainant still feels they are being discriminated against, then they are advised of the availability of the Civil Rights complaint process and provided the information on how / where to file a complaint with UDSA.

Complaints of discrimination must be filed within 180 days of the incident of discrimination.

Element 9: Customer Service

Good customer service will help reduce or eliminate complaints of discrimination. All participants must be treated in the same manner.

- All participants of approximately the same age must receive or be offered the same planned menu items in the same amounts (unless documented accommodations are required).
- Participants with special needs will have their needs addressed based on the severity of the need.
- All participants must be included in meals, snacks, activities, and discussions.
- All participants must be treated with courtesy and respect.

General Civil Rights Training Materials

This handout may be used as a training aid for the Annual Staff Civil Rights training.

Annual Civil Rights Training Goals are:

- To ensure staff know and comply with USDA regulations and Civil Rights requirements.
- To make Child Nutrition Program (CNP) benefits are equally available to all;
- To notify participants and households that the CNP is a non-discriminatory federal program

Key Points for Discussion

Basic Civil Rights Requirements

The U.S. Department of Agriculture prohibits discrimination in Child Nutrition Program's on the basis of:

- race,
- color,
- national origin,
- sex,
- age and
- disability

All applicants / participants must have equal access to Sponsor services. Examples of equal access are:

- Providing all families inquiring about your program with the same information.
- Serve all participants the same meal (unless documented disability requires accommodations)
- Determine eligibility equally using the Meal Benefit Application
- Provide service at a location that does not unnecessarily prohibit their access to services.

Key Civil Rights Training Topics

- 1 Collection and use of data,
- 2 Equal Opportunity
- 3 Effective public notification systems,
- 4 Civil Rights Complaint procedures,
- 5 Compliance & Resolution of Noncompliance,
- 6 Accommodations for those with Disabilities,
- 7 Accommodations for those with Limited English Proficiency,
- 8 Conflict resolution, and
- 9 Customer service.

Element 1: Collection and Use of Data

Sponsors are required to obtain data by ethnic category and race on potentially eligible populations, applicants, and participants in their Program service area.

- Program applicants/participants may not be required to furnish information on their race or ethnicity.
- Self-identification is the preferred method of obtaining data for enrolled participants.
- If the applicant declines to self-identify, the applicant should be informed that a visual identification of his or her race and ethnicity will be made and recorded on the enrollment form.
- Don't "second guess" or change a self-declaration made by the applicant about his or her race or ethnic background.
- Collect data for each center and maintain for three years plus the current year,
- Restrict access of records only to authorized personnel - Confidential.

There are 2 Parts to Data Collection

Question 1: Ethnicity: the applicant/participant chooses one, or the other, not both.

1. Hispanic or Latino
2. Not Hispanic or Latino

Question 2: Race is broken down into the following categories and the applicant/participant can choose one or as many categories that apply.

The racial/ethnic categories are defined as:

1. **American Indian or Alaska Native.** A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
2. **Asian.** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam.
3. **Black or African American.** A person having origins in any of the black racial groups of Africa. Terms such as "Haitian" or "Negro" can be used in addition to "Black or African American".
4. **Native Hawaiian or Other Pacific Islander.** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
5. **White.** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Element 2: Equal Opportunity

You must provide equal access to programs and services to all applicants/participants. Examples of equal access include:

- Provide all families inquiring about the Program with the same information about Child Nutrition Programs
- Serve all participants the same meal (unless there is a documented specific need / accommodation for medical or other reasons)
- Evaluate all Meal Benefit Forms equally regardless of race, color, national origin, sex, age or disability
- Provide services to applicants and participants at a location that does not unnecessarily prohibit their access to the services

Equal Opportunity for Religious Organizations

Faith-based and community-based organizations:

- May participate in the Child Nutrition Program on equal footing with other kinds of local organizations.
- A religious organization may retain its independence and continue to carry out its mission, provided that direct USDA funds do not support any inherently religious activities such as worship, religious instruction, or proselytizing.
- Faith-based organizations may use space in their facilities to provide USDA-funded services without removing religious art, icons, scriptures, or other religious symbols.
- Faith-based organizations are not exempt from the requirements of Federal or RIDE law.

Element 3: Effective Public Notification

Inform applicants, participants, and potentially eligible persons of:

- The Child Nutrition Program's availability;
- Their rights and responsibilities regarding the Program
- How to participate
- USDA's nondiscrimination policy, and
- Their right to file a civil rights complaint, and the procedures to do so.

Methods of Notification

- Prominently display the USDA "And Justice for All" poster in each location where services are provided.
- Inform potentially eligible persons, applicants, participants, and grassroots organizations of Programs or changes in Programs.
- Annual media release
- Provide appropriate information, including web-based information, in alternative formats for persons with disabilities or limited English comprehension.
- Include the required USDA nondiscrimination statements on publications that reference your CNP or admissions (e.g. parent handbook, letters, information materials provided to the public, etc).
- Photographs and other graphics should reflect equal opportunity.

Element 4: Civil Rights Complaint Procedures:

- Inform complainant that a complaint based on race, color, national origin, sex, age, or disability,
 - May be either written or verbal, and
 - Must be made within 180 days of the event.
- Provide the nondiscrimination statement and procedures for filing a Civil Rights complaint.
- Provide a Complaint Form.
- Encourage the complainant to resolve the issue with the sponsor as a first attempt at resolution.
- All Civil Rights complaints will be forwarded to the address in the Nondiscrimination Statement. (See FNS 113-1 section XVI for further instructions).
- Track Civil Rights Complaints in the Civil Rights Complaint Log

Element 5: Compliance & Resolution of Noncompliance

RIDE (State Agency) Reviews

- RIDE must determine that all institutions appear to be in compliance with USDA Civil Rights requirements prior to approval for participation in the CNP and prior to application renewal.
- All RIDE CNP monitoring reviews include a review of on-going USDA Civil Rights compliance at the institution.

Sponsors Monitor Their Own Compliance

- Sponsors review their own USDA Civil Rights compliance.
- A tool is attached to assist Sponsor's in self-monitoring compliance.
- Document the areas of non-compliance
- Develop a corrective action plan.
- Follow-up to check compliance.

Resolution of Non-Compliance

- If a RIDE review shows non-compliance, corrective action must be taken immediately.
- Compliance required within 60 days or the USDA Regional Office will be notified.

Element 6: Accommodations for those with Disabilities

Reasonable accommodations must be made for persons with disabilities.

Examples of reasonable accommodations include providing wheel chair ramps to access the food service area or making menu substitutions for those with severe food allergies.

Difference between a severe food allergy and a food intolerance.

- Severe Food Allergy is a disability
- Food intolerance is not a disability and therefore the Sponsor is not required to

General Civil Rights Training Material (continued)

accommodate intolerances. However, Sponsors may make food substitutions, at their discretion, for individual children who do not have a disability, but who are medically certified as having a special medical or dietary need.

Documentation is required of the disability.

Element 7: Accommodations for those with Limited English Proficiency

- People with Limited English Proficiency (LEP) do not speak English as their primary language and who have a limited ability to read, speak, write or understand English.
- Free and Reduced Applications or menus may need to be translated
- Providing braille or large print documents for visually impaired participants are other examples of language assistance.
- Provide notice of reasonable accommodations and language assistance in the notification letters to families about the school nutrition programs.
- Determine the language needs in your community

Element 8: Conflict Resolution

- If a person feels they have been discriminated against by a Sponsor's Child Nutrition Program, provide the information on the Civil Rights complaint policy and process (included in the Nondiscrimination Statement).
- Then offer to try and resolve the issue with the Sponsor.
- A neutral third party (facilitator) may assist in resolving a complaint of discrimination informally. The facilitator works with the parties to help them develop an agreeable resolution to their problems.
- If after discussing the issue with the sponsor they still feel they are being discriminated against, then they are encouraged to file a complaint with UDSA.

Element 9: Customer Service

Good customer service will help reduce or eliminate complaints of discrimination. All participants must be treated in the same manner.

- All participants of approximately the same age must receive or be offered the same planned menu items in the same amounts (unless documented accommodations are required).
- Participants with special needs will have their needs addressed based on the severity of the need.
- All participants must be included in meals, snacks, activities, and discussions.
- All participants must be treated with courtesy and respect.

Civil Rights Knowledge Check!

Name _____ Date _____

- 1: What are the 6 Federally-protected bases?

- 2: Do you need to provide information about your meal programs in other languages if you have a number of families who do not speak or read English?
Yes _____ No _____ Why or why not?

- 3: In collecting racial and ethnic information about your participants, can you require them to fill in that information on enrollment forms you use?
Yes _____ No _____

- 4: Is the parent letter that informs families about free and reduced price meal applications and meal availability part of the civil rights notification materials?
Yes _____ No _____

- 5: Can your school or child care or institution decide that a civil rights complaint is not serious enough to follow the complaint procedures?
Yes _____ No _____ Why or why not?

- 6: Would a complaint about an incident (age) that occurred 12 months ago be accepted by USDA? Yes _____ No _____

- 7: Do the servers on line need to know about civil rights procedures? Yes _____ No _____ Why or why not?

- 8: If the person making the complaint doesn't want to fill in the complaint form, can the school, child care or institution ignore the complaint?
Yes _____ No _____

Civil Rights Knowledge Check Answer Key

1: What are the 6 Federally-protected bases?

A: race, color, national origin, sex, age or disability.

2: Do you need to provide information about your meal programs in other languages if you have a number of families who do not speak or read English?

A: yes, you need to make reasonable access to information for them.

3: In collecting racial and ethnic information about your participants, can you require them to fill in that information on enrollment forms you use?

A: no, filling out information is voluntary.

4: Is the parent letter that informs families about free and reduced price meal applications and meal availability part of the Civil Rights notification materials?

A: yes, it includes information about the protected conditions and the complaint address.

5: Can your school or child care or institution decide that a Civil Rights complaint is not serious enough to follow the complaint procedures?

A: no, every complaint needs to be taken seriously.

6: Would a complaint about an incident (age) that occurred 12 months ago be accepted by USDA?

A: no, they must file the complaint within 180 days (approximately 6 months). Age is a protected class under USDA rules only.

7: Do the servers on line need to know about Civil Rights procedures?

A: yes, because they are in contact with the participants on a daily basis, and may be receiving the Civil Rights complaints.

8: If the person making the complaint doesn't want to fill in the complaint form, can the school, child care or institution ignore the complaint?

A: no, you must fill it out for them

Resources and Materials:

USDA Guidance “Accommodating Children with Special Dietary Needs in the School Nutrition Programs” :
http://www.fns.usda.gov/sites/default/files/special_dietary_needs.pdf

“AND JUSTICE FOR ALL” poster can be found:

- Download the poster from this USDA website link: <http://www.fns.usda.gov/cr/and-justice-all-posters>
- Pick up actual poster at a RIDE sponsored CACFP training or contact RIDE.

“Building For the Future”

- Download the poster from this USDA website link:
<http://www.fns.usda.gov/sites/default/files/Build4Future.pdf>

“Media Release” can be found in the application and renewal packets that are distributed annually.

Limited English Proficiency

- Guidance can be found at: <http://www.lep.gov/maps/>
- For additional information regarding LEP see FNS Instruction 113-1. Pg. 10 – 12 at:
<http://www.fns.usda.gov/sites/default/files/113-1.pdf>

Person with disabilities who require alternative means for Child Nutrition Programs information (Braille, large print, audiotape, etc...) should contact:

- USDA’s TARGET Center at (202)720-2600 (voice and TTY)

For more information about ADA call:

- 800-514-0301 (voice) or 800-514-0383 (TDD)
- Department of Justice ADA website Home Page link to “COMMONLY ASKED QUESTIONS ABOUT CHILD CARE CENTERS AND THE AMERICANS WITH DISABILITIES ACT” at: <http://www.ada.gov/childqanda.htm>

Population data sources include:

- US Census Data <http://www.census.gov/2010census/>
- American Community Survey <https://www.census.gov/programs-surveys/acs/>
- Migration Policy Institute’s National Center on Immigrant Integration Policy
<http://www.migrationpolicy.org/>